

Application No.: 09/981,706
Examiner: Vincent E. KOVALICK
Group Art Unit: 2673

REMARKS

Claims 1 and 3 have been amended to provide proper antecedence. All of the amendments are fully supported by the original disclosure of this application and therefore do not constitute the introduction of any new matter into this case. The original Abstract has been amended to provide a more concise summary of the disclosure in accordance with U.S. practice format.

Applicants have not yet received an indication from the Examiner as to the acceptability of the originally filed drawings and requests such indication in the next Official Action, in the absence of which it is assumed that the original drawings are acceptable.

Claims 1-22 remain pending upon entry of the amendments to the claims above.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 3, 6-10, 13 and 17-21 are in condition for allowance. Claim 3 has been rewritten as an independent claim and is believed to be in condition for allowance. Applicants respectfully believe that rewriting of the remaining claims in independent form is premature in view of the arguments that follow.

Claim Rejections under Double Patenting

Claims 1 and 12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 9 of copending Publication No. US 2002/0050977 (U.S. Application No. 09/984,759), respectively. Applicant respectfully traverses this rejection and advances the following arguments.

It is respectfully believed that the claimed invention is patentably distinct from that of copending application US 09/984,759. Initially, in a structural comparison, the device

of copending application teaches a hollow front frame; a bottom frame or plate; an N-shaped side frame; a separate frame or plate used for separating or supporting the liquid crystal display panel and the backlight module; and a stopping frame having a reflector, a cavity, and a plurality of pores used for discharging heat, thereby constituting the hosing having a lateral opening to slide the liquid crystal display panel and the backlight module into the space formed by the front frame, the bottom frame, the side frame and the separate frame, wherein the liquid crystal display panel and the backlight module are positioned on different spaces separated by the separate frame and fixed through male/female locking units on the stopping frame (paragraphs 16 and 17, and Figure 2).

In contrast, the claimed device teaches a front frame where an active area of the flat panel display is defined; a bottom frame; two separate side frames vertically connecting to the front frame and the bottom frame at two short ends, thereby forming a space with the height that is not less than the thickness of the flat panel display, wherein the flat panel display can be slid into the space in any direction as required; and two solid stopping frames to prevent the flat panel display from being released by strongly combining with the side frames, the front frame or bottom frame through the use of binding units such as hooks. Further, the claimed invention provides a flat panel display that preferably combines the flat panel and a backlight module prior to installation, whereas the copending application provides individual panel and backlight so that they can be slid into different spaces.

Applicant respectfully believes that the claimed invention is patentably distinct over the copending application. In view of the remarks above, withdrawal of this rejection is respectfully requested.

Application No.: 09/981,706
Examiner: Vincent E. KOVALICK
Group Art Unit: 2673

Claim Rejections under 35 U.S.C. § 103

Claims 1, 2, 4, 5, 11, 12, 14-16 and 22 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. 6,501,641 (Kim et al.) in view of U.S. 5,768,096 (Williams et al.).

Applicants most respectfully wish to direct the Examiner's attention to the basic requirements of a prima facie case of obviousness as set forth in the MPEP. MPEP § 2131 states that to establish a prima facie case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the prior art references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the teachings of the reference. Second, there must be a reasonable expectation of success for the modification. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Further, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

MPEP § 2143.03 states that all claimed limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art". *In re Wilson* 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious. *In re Fine* 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Applicants also most respectfully direct the Examiner's attention to MPEP § 2144.08 which states that Office Personnel should consider all rebuttal argument and evidence presented by the Applicant. *In re Soni*, 54 F.3d 746, 750, 34 USPQ2d 1684, 1687 (Fed. Cir. 1995) (error not to consider evidence presented in the specification).

Application No.: 09/981,706
Examiner: Vincent E. KOVALICK
Group Art Unit: 2673

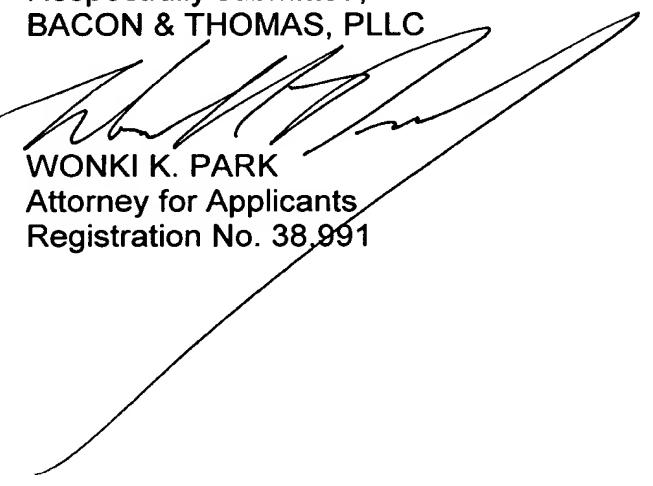
With regard to independent claims 1 and 12, Applicants respectfully note that the reference to Kim et al. teaches the mounting of the LCD device to the case through through-holes and screws used as fastening elements, which is the prior front mounting method disclosed in the background of the present application. The reference to Kim et al. does not teach, disclose or suggest the sliding of the flat panel display into the space surrounded and formed by the side frames, the front frame and the bottom frame, as acknowledged by the Examiner. Further, due to the different fastening elements used by the reference to Kim et al. (column 4, lines 56-67; Fig. 5) and Williams et al. (Figure 3), the two references can not be combined to form a strong unit, unless one of the devices must be completely reshaped in its structure. However, the reshaping of such structure is believed to be most difficult because of different moldings, particularly with regard to the linkage assemblies that does not exist in the reference to Kim et al. Hence, it is respectfully believed that the claimed invention can not be obtained through the combination of the two references without the destruction of the base reference. With further regard to the device of Williams et al., two display panels are slid into and out of a viewing portion when the notebook is used (Figs. 4-7), in contrast to the claimed invention in which the display panel remains in place after it is slid into the space of the housing to assemble the panel module.

In summary, it is respectfully submitted that none of the prior art individually or collectively shows the invention as claimed. Accordingly, withdrawal of the rejection of the claims appears to be warranted and the same is respectfully requested. In the event there are any outstanding matters remaining in the present application which can

Application No.: 09/981,706
Examiner: Vincent E. KOVALICK
Group Art Unit: 2673

be resolved by a telephone call or facsimile communication to Applicants' Attorney, the Examiner is invited to contact the undersigned by telephone or facsimile at the numbers provided below.

Respectfully submitted,
BACON & THOMAS, PLLC



WONKI K. PARK
Attorney for Applicants
Registration No. 38,991

Date: April 2, 2004

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Telephone: 703-683-0500
Facsimile: 703-683-1080

WP/jfm

S:\Producer\wp\SUN 981706\amendment.wpd